

## MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on January 10, 2001 in Room 313-S of the Capitol.

All members were present except:

- Representative Andrew Howell - Excused
- Representative Dale Swenson - Excused

Committee staff present:

- Jerry Ann Donaldson, Department of Legislative Research
- Jill Wolters, Department of Revisor of Statutes Office
- Cindy O'Neal, Committee Secretary

Chairman O'Neal provided the Committee copies of the Committee Rules and Rules for Conferees (Attachments 1 & 2)

Jerry Ann Donaldson, Department of Legislative Research, briefed the committee on the recommendations from the Special Committee on Judiciary which meet this past summer. The interim committee was assigned the following topics for review & discussion:

- Merit selection of judges
- Revisions of state court costs
- Increasing safety belt use, including seat belts on school buses
- Qualifications of members of the Legislature

### **Merit Selection of Judges**

The Committee expressed support for the concept of allowing each county to decide whether they would either elect or select their judges. Further, the Committee recommended the Legislature study the qualifications of judges due to the fact that a judge is in an important critical position in society and should be the best qualified person for the position. The final suggestion was to have the Legislature review a system of evaluating judges so the public would be more informed when an election or selection of judge occurs.

### **Revision of State Court Costs**

The Committee expressed appreciation for the efforts of the Judicial Council & Office of Judicial Administration to resolve funding issue. They stated that the belief that it is inappropriate for court funding to be driven by docket fees. The recommendation of the Committee is that court funding should be the responsibility of the state and the funding should come from the State General Fund.

### **Increasing Safety Belt Usage, Including Seat Belts on School Buses**

The Committee believes that discussion of a primary seat belt law merits consideration by future legislators and recommended the introduction of a primary seat belt bill to the Legislature. They also stated that there needs to be more studies on the usage of seat belts on school buses and tabled the issue.

### **Qualifications of Members of the Legislature**

The Committee recommended that no action be taken on the issue contained in **2000 HCR 5047** since there had been on clear showing of abuse.

They did, however, believe that the Legislature should continue to be vigilant of the potential for abuse in the whole separation of powers arena.

The committee meeting adjourned at 4:15. The next meeting was scheduled for January 16, 2001.